

Message Text

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ACTION IO-14

INFO OCT-01 EUR-25 ADP-00 AF-10 ARA-11 EA-11 NEA-10 RSC-01

CIAE-00 DODE-00 PM-07 H-02 INR-10 L-03 NSAE-00 NSC-10

PA-03 PRS-01 SS-15 USIA-12 ACDA-19 MBFR-03 RSR-01

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P R 291111 Z JUN 73

FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 6009

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

USMISSION NATO BRUSSELS

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C O N F I D E N T I A L SECTION 01 OF 03 BONN 09331

E. O. 11652: GDS

TAGS: PFOR, PGOV, GW, GE, WB, UR, UN

SUBJECT: UN ENTRY OF TWO GERMAN STATES: SOVIET LETTER
ON QUADRIPARTITE AGREEMENT

REF: USUN 2392

SUMMARY: AT REQUEST OF FOREIGN OFFICE REP (BLECH), BONN
GROUP ON JUNE 28 DISCUSSED IMPLICATIONS OF MALIK LETTER
AND POSSIBILITIES FOR ALLIED REACTION WITHIN THE UN.
BLECH SAID FRG BELIEVED PREJUDICIAL LANGUAGE IN THE
LETTER COULD BE DAMAGING TO FRG ATTEMPTS TO REPRESENT
BERLIN WORLD- WIDE AS WELL AS IN UN CONTEXT, AND ASKED
ALLIED REPS TO PRESENT TO THEIR AUTHORITIES PROS AND
CONS OF SENDING A RESPONSE. FRENCH REP WAS STRONGLY
IN FAVOR OF RESPONSE, WHEREAS US AND UK REPS WONDERED
IF CIRCULATION OF REPLY IN UN MIGHT NOT RAISE MORE
PROBLEMS THAN IT SOLVED. BLECH SAID HE HAD ALSO
NOT FORMED A FINAL OPINION AND WOULD BE INTERESTED TO
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HEAR VIEWS OF ALLIED CAPITALS, BEFORE PRESENTING AN OFFICIAL FRG REQUEST IN THE BONN GROUP. END SUMMARY.

1. BLECH SAID THAT WHILE ACCEPTANCE IN THE MALIK LETTER OF FRG REPRESENTATION OF THE WSB IN THE UN WAS CLEARLY A POSITIVE DEVELOPMENT, THE FOREIGN OFFICE HAD IDENTIFIED AT LEAST THREE NEGATIVE ASPECTS OF THE DOCUMENT:

A. THE FIRST SENTENCE OF THE THIRD PARAGRAPH WHICH REFERRED TO ANNEX IV OF THE QA INCORRECTLY GAVE THE IMPRESSION THAT ANNEX IVA PROVIDED A COMPLETE LISTING OF THE WAYS IN WHICH THE FRG WAS AUTHORIZED TO REPRESENT THE WSB ABROAD.

B. THE PENULTIMATE SENTENCE OF THE LETTER CLAIMED THAT THE QA FORMED THE BASIS FOR FOREIGN REPRESENTATION AND DID NOT RECOGNIZE THE EXISTENCE OF THE ORIGINAL ALLIED AUTHORIZATION.

C. REFERENCE IN THE SAME SENTENCE TO THE " NATURE AND SCOPE" OF FOREIGN REPRESENTATION INTIMATED THAT BASED ON THE QA, THE SOVIETS ALSO HAD A SAY IN DETERMINING THE MODALITIES OF SUCH REPRESENTATION. RECALLING THAT A SIMILAR FORMULATION HAD BEEN INCLUDED IN THE BELETSKIY RESPONSE ON THE BKC/ L, BLECH WAS OF THE VIEW THAT THE SOVIETS WOULD ATTEMPT TO ESTABLISH FOR THEMSELVES THE RIGHT TO USE THE QA TO OBJECT TO SUCH THINGS AS SEATING ORDER, NAME TAGS AND FLAGS IN THE COURSE OF FRG REPRESENTATION OF THE WSB IN THE UN AND ELSEWHERE. HE SAID THIS VIEW HAD BEEN CONFIRMED INDIRECTLY TO HIM BY SOVIET COUNSELOR KOPTELTSEV IN A RECENT CONVERSATION.

2. BLECH AGREED WITH ALLIED REPS THAT THE PRACTICAL IMPLICATIONS OF THE LETTER WITHIN THE UN WERE LIMITED. HE POINTED OUT, HOWEVER, THAT BY HAVING THE LETTER CIRCULATED TO ALL UN MEMBERS, THE SOVIETS WERE IN EFFECT DISTRIBUTING TO THE ENTIRE WORLD AN OFFICIAL DOCUMENT CONTAINING THEIR INTERPRETATION OF THE FOREIGN REPRESENTATION PROVISIONS OF THE QA. IF THIS INTERPRETATION DID NOT GO UNCONTRADICTED, THE SOVIETS COULD USE THE EXISTENCE OF THE DOCUMENT IN SUPPORT OF THEIR CASE IN BERLIN RELATED MATTERS IN THIRD COUNTRIES.

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BLECH ADDED THAT THE SECRETARIAT WOULD ALSO BE INFLUENCED TO A CERTAIN EXTENT BY LACK OF AN ALLIED REPLY AND THAT THIS MIGHT MAKE THE WESTERN POSITION MORE DIFFICULT TO DEFEND IN THE FUTURE ON PRACTICAL UN MATTERS.

3. THE FRENCH REP (BELLESCIZE) AGREED WITH THESE VIEWS

AND SAID HE SAW A FURTHER REASON IN FAVOR OF AN ALLIED
RESPONSE. NOTING THAT STATEMENTS ON BERLIN HAD NOW
BEEN CIRCULATED IN THE UN BY THE FRG AND BY THE SOVIETS,
BELLESCIZE ARGUED THAT THE SITUATION WAS NOW UNBALANCED.
IT WOULD APPEAR TO OTHER UN MEMBERS AS IF THE QUESTION
OF BERLIN REPRESENTATION HAD BEEN REGULATED BETWEEN
THE SOVIETS AND THE FRG AND THAT THE THREE POWERS HAD
HAD NOTHING TO CONTRIBUTE. FOR THIS REASON, BELLESCIZE
SAID HE WOULD FAVOR CIRCULATION OF A NON- CONTROVERSIAL

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INR-10 L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15

USIA-12 AF-10 ARA-11 EA-11 NEA-10 ACDA-19 MBFR-03

RSR-01 /169 W

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FM AMEMBASSY BONN

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INFO AMEMBASSY LONDON

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C O N F I D E N T I A L SECTION 02 OF 03 BONN 09331

RESPONSE WHICH REFERRED BOTH TO THE SCHEEL LETTER AND
TO THE MALIK RESPONSE AND WHICH WOULD RESERVE THE
THREE POWER LEGAL POSITION. THE US REP POINTED OUT
THAT REFERENCE HAD BEEN MADE TO THE ALLIED BKC/L IN
THE SCHEEL LETTER AND THAT IT SHOULD BE CLEAR TO UN
MEMBERS THAT THE FRG HAD ACTED ON ALLIED AUTHORIZATION.
BELLESCIZE SAID HE DID NOT BELIEVE THIS REFERENCE
PRESENTED THE POINT IN A CLEAR ENOUGH FASHION.

4. THE UK REP (CROMARTIE) SAID THAT DESPITE COMMENTS MADE BY THE FOREIGN OFFICE AND FRENCH REPS, HE CONTINUED TO HAVE DOUBTS ABOUT THE WISDOM OF RESPONDING. HE POINTED OUT THAT IT WOULD BE EXTREMELY DIFFICULT TO PRESENT LEGAL ARGUMENTS AGAINST THE INTERPRETATION PROVIDED IN THE MALIK LETTER; THEY WOULD JUST NOT BE UNDERSTOOD. EVEN IF WE OPTED FOR A SHORT NON- CONTROVERSIAL RESPONSE, THERE WOULD STILL BE THE DANGER OF CALLING ATTENTION AWAY FROM THE ESSENTIALLY POSITIVE NATURE OF THE FIRST PART OF THE LETTER AND OF

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INDICATING TO OTHER UN MEMBERS THAT A PROBLEM EXISTED. IF WE SAID NOTHING, IT WOULD PROBABLY NEVER OCCUR TO ANYONE TO RAISE ANY QUESTIONS. CROMARTIE SAID HE WAS SUPPORTED IN HIS VIEW BY THE OVERWHELMINGLY POSITIVE TREATMENT GIVEN THE LETTER BY THE GERMAN PRESS. DESPITE THE RELATIVE SOPHISTICATION OF GERMAN JOURNALISTS ON BERLIN MATTERS, NOT ONE HAD COMMENTED ON THE PREJUDICIAL LANGUAGE. ALL REPORTS HAD CONCENTRATED ON THE POSITIVE FACT OF SOVIET ACCEPTANCE OF FRG REPRESENTATION OF THE FRG. CROMARTIE ASKED AGAIN WHETHER WE SHOULD ENDANGER THIS SITUATION BY RAISING ADDITIONAL QUESTIONS.

5. THE US REP NOTED THAT THERE WOULD, OF COURSE, BE THE PROBLEM OF LONG RANGE EFFECTS. THE SOVIETS COULD KEEP THE LETTER IN RESERVE FOR USE AS AMMUNITION IN SOME FUTURE DISPUTE. THE US REP WONDERED, HOWEVER, IF THE PRACTICAL POSSIBILITIES FOR DAMAGE TO THE WESTERN POSITION EITHER IN THE UN OR WITH THIRD COUNTRIES WERE SO GREAT AS TO MAKE WORTHWHILE THE RISK OF RAISING ADDITIONAL PROBLEMS MENTIONED BY THE UK REP. HE NOTED THAT THE NUMBER OF TIMES WHEN THE QUESTION OF FRG REPRESENTATION OF BERLIN WOULD COME UP IN THE UN AS A PRACTICAL MATTER WOULD BE EXTREMELY LIMITED, AND IN THIRD COUNTRIES WE COULD DRAW ENOUGH ARGUMENTS FROM EXISTING PRACTICES AND THE TEXT OF THE QA ITSELF TO SUPPORT OUR POSITION. THE US REP AGREED THAT THE SOVIETS COULD DRAW SOME ADVANTAGE FROM THE FACT THAT THE MALIK LETTER WOULD GO UNCONTRADICTED, BUT DOUBTED THAT IT WOULD BE DECISIVE IN FUTURE DISPUTES OVER BERLIN. IF IT SHOULD BECOME NECESSARY TO DEBATE THE POINT, WE COULD ARGUE THAT THE STATEMENT REPRESENTED SOVIET FORMAL ACCEPTANCE IN THE UN CONTEXT OF A POINT THEY HAVE PREVIOUSLY CONTESTED, I. E., FOREIGN REPRESENTATION OF THE WSB BY THE FRG, AND THAT THEY WERE SIMPLY REFLECTING THE FACT THAT THE BASIS FOR THEIR OWN CHANGE OF POLICY WAS THE QA. ANYTHING BEYOND THAT WOULD NOT HAVE BEEN POSSIBLE, SINCE IT IS CLEAR THAT

THE OTHER PARTIES TO THE QA AND MOST OF THE INTER-
NATIONAL COMMUNITY HAD ACCEPTED SUCH REPRESENTATION
PRIOR TO THE QA. HE AGREED WITH THE UK REP THAT THERE
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WOULD BE MORE RISK OF STIMULATING SUCH DISPUTES IF
WE BROUGHT OUR DIFFERENCES OUT INTO THE OPEN THAN IF
WE POCKETED THE POSITIVE SOVIET ACCEPTANCE OF FRG
REPRESENTATION NOW AND RELIED ON OTHER WEAPONS TO DEFEND
OUR POSITION IN THE FUTURE.

6. BLECH SAID THERE WERE OTHER POSSIBILITIES FOR A
RESPONSE: A) AN ORAL PRESENTATION TO THE SECRETARY
GENERAL; B) INCLUSION OF APPROPRIATE REMARKS IN ALLIED
STATEMENTS AFTER THE GENERAL ASSEMBLY VOTE ON FRG AND
GDR MEMBERSHIP OR C) A LETTER TO THE SECRETARY GENERAL
WHICH WOULD NOT BE CIRCULATED. BLECH SAID HE PERSONALLY
DID NOT FAVOR ANY OF THESE ALTERNATIVES. AN ORAL
PRESENTATION WOULD HAVE LITTLE EFFECT AND COULD NOT BE
REFERRED TO IN THE FUTURE; REMARKS IN THE GENERAL
ASSEMBLY WOULD SIMPLY DRAW A SOVIET RESPONSE; AND A
NON- CIRCULATED LETTER TO THE SECRETARY GENERAL WOULD
ALSO NOT BE IN THE PUBLIC DOMAIN AND COULD NOT BE
USED TO SUPPORT FUTURE ARGUMENTS. ALLIED REPS AGREED
WITH THESE VIEWS.

7. ALLIED AND FRG REPS SAID THAT THERE WAS NO PRESSURE
TO DECIDE ON A RESPONSE WITHIN A FEW DAYS, ALTHOUGH
IF WE DECIDED TO REPLY, IT WOULD PROBABLY BE BEST TO

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INFO OCT-01 EUR-25 ADP-00 CIAE-00 DODE-00 PM-07 H-02

INR-10 L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15

USIA-12 AF-10 ARA-11 EA-11 NEA-10 ACDA-19 MBFR-03

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FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 6011

INFO AMEMBASSY LONDON

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C O N F I D E N T I A L SECTION 03 OF 03 BONN 09331

DO SO BEFORE GENERAL ASSEMBLY ACTION ON THE FRG AND GDR APPLICATIONS. IT WAS AGREED TO REPORT THE BONN GROUP DISCUSSION TO CAPITALS AND TO ASK FOR COMMENTS ON THE ADVISABILITY OF SENDING A RESPONSE AND IF SO, IN WHICH FORM THE REPLY SHOULD BE SENT. AFTER SUMMING UP ALLIED VIEWS DESCRIBED ABOVE, BLECH SAID THE FOREIGN OFFICE HAD NOT YET REACHED A FINAL OPINION ON THE QUESTION AND WOULD LIKE TO HEAR THE VIEWS OF ALLIED AUTHORITIES BEFORE TAKING A FORMAL POSITION.

8. EMBASSY COMMENT: WE CAN SEE ARGUMENTS IN FAVOR OF BOTH POSITIONS, ALTHOUGH AS NOTED ABOVE, WE TEND TO THINK THAT MORE DIFFICULTIES WOULD BE RAISED BY SENDING A REPLY THAN BY REMAINING SILENT. THE MAIN QUESTION IS WHETHER THE ABSENCE OF THREE POWER CONTRADICTION OF THE SOVIET INTERPRETATION WOULD LEND SUCH WEIGHT TO THE POSITIONS TAKEN IN THE MALIK LETTER THAT THE SOVIETS WOULD IN THE FUTURE BE ABLE TO USE THE DOCUMENT AS A DECISIVE MEANS OF ARGUING AGAINST
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WESTERN VIEWS ON HOW BERLIN SHOULD BE REPRESENTED BY THE FRG. ON BALANCE, OUR VIEW IS THAT THIS WOULD NOT BE THE CASE AND THAT THE POTENTIAL DIFFICULTIES WHICH MIGHT ARISE BY CALLING ATTENTION TO THE BERLIN PROBLEM IN THE UN WOULD BE MORE DAMAGING THAN ANY USE THE SOVIETS MIGHT BE ABLE TO MAKE OF THE LETTER IN THE FUTURE.
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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

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Current Classification: UNCLASSIFIED
Concepts:
Control Number: n/a
Copy: SINGLE
Draft Date: 29 JUN 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: boyleja
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: n/a
Enclosure: n/a
Executive Order: GDS
Errors: n/a
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Reference: 73 USUN NEW YORK 2392
Review Action: RELEASED, APPROVED
Review Authority: boyleja
Review Comment: n/a
Review Content Flags:
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Review Event:
Review Exemptions: n/a
Review History: RELEASED <13-Aug-2001 by shawdg>; APPROVED <14-Sep-2001 by boyleja>
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Secure: OPEN
Status: <DBA CORRECTED> jms 980309
Subject: UN ENTRY OF TWO GERMAN STATES: SOVIET LETTER ON QUADRIpartite AGREEMENT
TAGS: PFOR, PGOV, GE, UN, UR
To: IO
LONDON
MOSCOW
NATO BRUSSELS
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SECSTATE WASHDC
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